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	TEDE-00	INR-00	L-01	ADS-00	NEA-01	NSAE-00	NSCE-00
	OIC-02	PA-02	PRS-01	P-01	SP-00	SR-00	SS-00
	STR-01	TRSE-00	USIE-00	SA-01	RPE-01	/045W	

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O 201231Z MAY 94
FM USMISSION GENEVA
TO SECSTATE WASHDC IMMEDIATE 9517
USMISSION USUN NEW YORK IMMEDIATE
INFO HUMAN RIGHTS COMMISSION COLLECTIVE
AMEMBASSY ADDIS ABABA
AMEMBASSY BUJUMBURA
AMEMBASSY CAIRO
AMEMBASSY DAR ES SALAAM
AMEMBASSY KAMPALA
AMEMBASSY KINSHASA

UNCLAS SECTION 01 OF 03 GENEVA 04682

USUN PLEASE PASS TO AMB-DES. GERALDINE FERRARO

E.O. 12356: N/A
TAGS: PHUM, UNHRC-1, RW
SUBJECT: HUMAN RIGHTS COMMISSION: HCHR ISSUES REPORT ON
- RWANDA

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REF: GENEVA 4646 AND PREVIOUS

INTRODUCTION

1. HIGH COMMISSIONER FOR HUMAN RIGHTS JOSE AYALA-LASSO
HAS ISSUED A REPORT ON HIS MAY 11-12 MISSION TO RWANDA IN
ADVANCE OF NEXT WEEK'S SPECIAL SESSION OF THE HUMAN RIGHTS
COMMISSION ON THE SAME SUBJECT. THE 12-PAGE REPORT (FULL
TEXT FAXED TO IO/ESA FOR DISTRIBUTION) INCLUDES BACKGROUND
ON RWANDA AND THE RECENT HOSTILITIES, A DESCRIPTION OF
ACTIONS BY THE HCHR BEFORE AND DURING HIS VISIT TO KIGALI,

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: ARCHIE M BOLSTER
DATE/CASE ID: 04 NOV 2011 201005065

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A LISTING OF "CURRENT MAJOR HUMAN RIGHTS CONCERNS," AND ELEVEN RECOMMENDATIONS. AMONG HIS PRINCIPAL RECOMMENDATIONS TO THE COMMISSION ARE A) THE APPOINTMENT OF A SPECIAL RAPPORTEUR WHO WOULD REPORT AS EARLY AS POSSIBLE AND PERIODICALLY THEREAFTER, B) ASSISTING THE RAPPORTEUR WITH A TEAM OF "HUMAN RIGHTS FIELD OFFICERS ACTING IN CLOSE COOPERATION WITH UNAMIR," AND C) THAT ANY FUTURE UN EFFORTS AIMED AT PEACE-BUILDING IN RWANDA "BE ACCOMPANIED BY A STRONG HUMAN RIGHTS COMPONENT...SUPPORTED BY A COMPREHENSIVE PROGRAM OF HUMAN RIGHTS ASSISTANCE." THIS DOCUMENT (WHICH CONTAINS NO MAJOR SURPRISES FROM OUR PERSPECTIVE) WILL SERVE AS THE KEY POINT OF REFERENCE FOR DELEGATIONS DURING THE SPECIAL SESSION. HIGHLIGHTS FOLLOW.

INTRODUCTION/BACKGROUND

2. CALLING RWANDA "A HUMAN RIGHTS TRAGEDY OF UNPRECEDENTED DIMENSIONS," THE INTRODUCTORY SECTION NOTES THAT "THE KILLING OF CIVILIANS IN LARGE NUMBERS FOR ETHNIC OR POLITICAL MOTIVES IS NOT NEW IN RWANDA." IT THEN

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SKETCHES OUT IN BROAD TERMS THE BACKGROUND OF THE ETHNIC AND POLITICAL TENSIONS, INCLUDING THE RPF INVASION IN 1990, THE SEVERAL ARUSHA AGREEMENTS, THE SECURITY COUNCIL'S ACTIONS, AND THE DOWNING OF THE PRESIDENTIAL AIRCRAFT ON APRIL 6. FOLLOWING ATTRIBUTION OF THAT INCIDENT BY RWANDAN GOVERNMENT-CONTROLLED RADIO TO THE RPF AND A SPECIFIC CONTINGENT OF UNAMIR, "INDISCRIMINATE AND LARGE-SCALE KILLING OF CIVILIANS INCLUDING POLITICAL OPPONENTS OF HE KILLED PRESIDENT" TOOK PLACE. THE NUMBER OF THOSE KILLED, IN KIGALI AND ELSEWHERE, "MAY EXCEED 500,000."

ACTIONS BY HCHR

3. HAVING CONTACTED THE SYG, AGENCIES OF THE U SYSTEM AND THE OAU, THE ICRC AND NGO'S, THE HCHR CALLED FOR A SPECIAL SESSION AND SET OUT FOR RWANDA "TO APPEAL TO BOTH PARTIES IMMEDIATELY TO STOP THE HUMAN RIGHTS VIOLATIONS AND TO WORK TOWARDS A NEGOTIATED SETTLEMENT OF THE CONFLICT." (HE WAS ACCOMPANIED BY THREE STAFFERS FROM THE HUMAN RIGHTS CENTER AND BY LOUIS JOINET, SPECIAL RAPPORTEUR ON IMPUNITY OF THE SUBCOMMISSION AND CHAIRMAN OF THE COMMISSION'S WORKING GROUP ON ARBITRARY DETENTION.) IN KIGALI, HE MET WITH THE SECRETARY

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GENERAL'S SPECIAL REPRESENTATIVE AND THE UNAMIR FORCE
COMMANDER, AS WELL AS WITH THE COMMANDER OF THE RWANDAN
ARMED FORCES AND THE CHIEF OF CABINET OF THE MINISTRY OF
DEFENSE; HE ALSO TRAVELLED TO BYUMBA TO MEET WITH RPF
COMMANDER KAGAME. HE SPOKE WITH BOTH SIDES ABOUT PERSONS
CURRENTLY TRAPPED OR HELD HOSTAGE BY THE FIGHTING AT
LOCATIONS INSIDE KIGALI INCLUDING THE STADIUM, A HOSPITAL,
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AND SOME CHURCHES.

4. HE "REMINDS (THE MILITARY COMMANDERS ON BOTH SIDES)
OF THEIR OBLIGATIONS, AS ENSHRINED IN INTERNATIONAL
HUMANITARIAN LAW AND IN HUMAN RIGHTS INSTRUMENTS TO WHICH
RWANDA IS A PARTY TO TAKE EFFECTIVE MEASURES AGAINST THE
KILLING OF INNOCENT CIVILIANS, AND OF THEIR RESPONSIBILITY
FOR ACTS COMMITTED BY THOSE UNDER THEIR COMMAND." HE ALSO
INFORMED THEM OF THE POSSIBILITY OF AN INVESTIGATION OF
HUMAN RIGHTS VIOLATIONS AND OFFERED HIS ASSISTANCE IN
BUILDING UP SUPPORT FOR THE PROMOTION AND PROTECTION OF

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HUMAN RIGHTS AND FOR DEVELOPING AN ATMOSPHERE OF TOLERANCE THROUGHOUT RWANDA. BOTH SIDES ACCEPTED THE IDEA OF AN INTERNATIONAL INVESTIGATION, THE HCHR REPORTS, AS WELL AS READINESS TO ACCEPT AND COOPERATE WITH UN HUMAN RIGHTS MONITORS UNDER UNAMIR PROTECTION, "TO FACILITATE HUMANITARIAN ASSISTANCE TO THE POULATION IN NEED AND TO PERMIT FREEDOM OF MOVEMENT" FOR THOSE WHO DO NOT FEEL SAFE WHERE THEY ARE.

CURRENT MAJOR HUMAN RIGHTS CONCERNS

5. THE HCHR REPORTS THAT "EXTREMELY SERIOUS VIOLATIONS" ARE STILL CONTINUING. IN ADDITION TO CONTINUED KILLINGS, HE NOTES THOUSANDS OF PEOPLE TRAPPED OR HELD AS HOSTAGES AT NUMEROUS LOCATIONS IN AREAS CONTROLLED BY BOTH THE GOR AND THE RPF. HE MENTIONS SPECIFICALLY THE "PARTICULARLY UNPREDICTABLE" THREAT TO RELIEF WORKERS AND UN PERSONNEL BY "MILITIAS, ARMED GANGS OR OTHER UNOFFICIAL GROUPS" MANNING ROADBLOCKS, AND RECOUNTS AN INCIDENT WHEN THE UNAMIR APC IN WHICH HE WAS TRAVELLING WAS STOPPED AND SEARCHED BY A MILITIAMAN "BRANDISHING A HAND-GRENADE." HE

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ESTIMATES THERE ARE 2 MILLION INTERNALLY DISPLACED
RWANDANS AND OVER 300,000 WHO HAVE FLED TO OTHER
COUNTRIES. FINALLY, HE NOTES THE DANGER OF DISEASE DUE TO
ROTTING BODIES AND OF FAMINE BECAUSE CROPS ARE GOING
UNTENDED.

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CONCLUDING RECOMMENDATIONS

6. WE REPRODUCE BELOW VERBATIM THE "CONCLUDING
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RECOMMENDATIONS" MADE BY THE HCHR:

A/ THE SITUATION IN RWANDA CAN BE CHARACTERIZED AS A
HUMAN RIGHTS TRAGEDY. THE WANTON KILLING OF MORE THAN
200,000 INNOCENT CIVILIANS, INCLUDING WOMEN, CHILDREN AND
ELDERLY PERSONS, CALLS FOR THE STRONGEST CONDEMNATION BY
THE INTERNATIONAL COMMUNITY.

B/ THE STRUGGLE FOR POWER IN RWANDA HAS OBVIOUS
POLITICAL CONNOTATIONS WHICH TRANSCEND THE FRAMEWORK OF
HUMAN RIGHTS. HOWEVER, LONG-STANDING AND PERSISTENT HUMAN
RIGHTS VIOLATIONS HAVE BEEN COMMITTED IN A CLIMATE OF
DISRESPECT FOR BASIC HUMAN RIGHTS PRINCIPLES AND IMPUNITY
FOR THE PERPETRATORS OF MAJOR CRIMES.

C/ EFFECTIVE INTERNATIONAL ACTION TO PREVENT A
FURTHER ESCALATION OF HUMAN RIGHTS VIOLATIONS IS URGENTLY
REQUIRED. KILLINGS OF CIVILIANS MUST STOP IMMEDIATELY.

D/ AT THE SAME TIME, EVERY EFFORT MUST BE MADE TO
ACHIEVE A CEASE-FIRE OR AT LEAST TEMPORARY CESSATION OF
HOSTILITIES IN ORDER TO CREATE THE CONDITIONS NECESSARY
FOR HUMANITARIAN ASSISTANCE TO REACH THE TWO MILLION
DISPLACED AS WELL AS OTHER PERSONS IN NEED. FURTHERMORE,
ALL THOSE WHO ARE TRAPPED BETWEEN LINES OR DETAINED IN
PLACES WHICH THEY DO NOT CONSIDER SAFE MUST BE GIVEN THE
POSSIBILITY TO MOVE TO AREAS OF THEIR OWN CHOICE WITH THE
ASSISTANCE AND PROTECTION OF UNAMIR.

E/ THE AUTHORS OF THE ATROCITIES MUST BE MADE AWARE
THAT THEY CANNOT ESCAPE PERSONAL RESPONSIBILITY FOR

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F/ ALL RELEVANT INTERNATIONAL HUMAN RIGHTS
INSTRUMENTS TO WHICH RWANDA IS A PARTY, INCLUDING THE
CONVENTION ON THE PREVENTION AND PUNISHMENT OF GENOCIDE,
AS WELL AS INTERNATIONAL HUMANITARIAN LAW MUST BE FULLY
RESPECTED.

G/ BOTH PARTIES TO THE CONFLICT SHOULD IMMEDIATELY
IMPLEMENT THE ABOVE-MENTIONED STEPS AND MEASURES.

H/ THE COMMISSION ON HUMAN RIGHTS FOR ITS PART MAY
WISH TO CONSIDER THE APPOINTMENT OF A SPECIAL RAPPORTEUR
WHO WOULD EXAMINE ALL HUMAN RIGHTS ASPECTS OF THE
SITUATION, INCLUDING ROOT CAUSES AND RESPONSIBILITIES FOR

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THE RECENT ATROCITIES, AND REPORT THEREON AS EARLY AS
POSSIBLE, AND PERIODICALLY THEREAFTER.

I/ THE COMMISSION ON HUMAN RIGHTS MAY ALSO WISH TO
DECIDE THAT THE SPECIAL RAPPORTEUR BE ASSISTED IN THE
COLLECTION AND ANALYSIS OF INFORMATION BY A TEAM OF HUMAN
RIGHTS FIELD OFFICERS ACTING IN CLOSE COOPERATION WITH
UNAMIR AND OTHER UNITED NATIONS AGENCIES AND PROGRAMMES
FROM WITHIN RWANDA AS WELL AS FROM NEIGHBOURING COUNTRIES
WHERE
RWANDAN REFUGEES ARE LOCATED.

J/ IT SHOULD BE NOTED IN THIS REGARD THAT BOTH THE
SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL ON RWANDA
AND THE FORCE COMMANDER OF UNAMIR HAVE PLEDGED THEIR FULL
COOPERATION WITH UNITED NATIONS HUMAN RIGHTS MONITORS,
SHOULD THE COMMISSION ON HUMAN RIGHTS DECIDE THEIR
ESTABLISHMENT.

K/ THE COMMISSION ON HUMAN RIGHTS MAY FURTHER WISH
TO ENDORSE THE SUGGESTION THAT FUTURE EFFORTS OF THE
UNITED NATIONS AIMED AT CONFLICT RESOLUTION AND
PEACE-BUILDING IN RWANDA BE ACCOMPANIED BY A STRONG HUMAN
RIGHTS COMPONENT AND THAT THIS PROCESS BE EFFECTIVELY
SUPPORTED BY A COMPREHENSIVE PROGRAMME OF HUMAN RIGHTS
ASSISTANCE.

-----END TEXT-----SPIEGEL

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